

AB 2311

Technical Child Care Amendments

Sponsor: California Department of Education

THE BILL

AB 2311 makes technical amendments to four areas of the Education Code (EC) pertaining to child care. The Department of Education is working with groups, such as the Department of Developmental Services and the California Local Planning Network, to update and clarify the Education Code.

SECTIONS AFFECTED

Part I-- Codes: 8203, 8208, 8263, 8265.5

Currently, the Education Code pertaining to child care contains definitions of children with “special needs,” “exceptional needs,” and who are “handicapped,” that are unclear and outdated in comparison to definitions used by State and Federal agencies, specifically the Department of Education, Special Education programs. This bill will clarify these definitions by aligning language. The amendment to EC 8265.5 also clarifies ambiguities with respect to which children can receive “special and appropriate services.”

Part II-- Codes: 8242

Between 1977-1979 EC 8242 was developed to give flexibility for three unconventional pilot programs funded in the Alternative Child Care Act. As part of the pilot project, EC 8242 allowed the alternative programs to waive staffing restrictions under Title 5, but still receive Title 5 funding. Gradually these three pilot programs were melded into conventional child care programs. As part of conventional programming, the pilot programs no longer need the flexibility originally allotted to them. EC 8242 needs to be amended to prevent programs from unnecessarily waiving Title 5 staffing requirements.

Part III-- Codes: 8468

This code specifies priorities for distributing child care funding. However, a newer section, EC 8289, supersedes this language. EC 8289 ensures that child care funding is disbursed to “promote equal access to child development services around the state.” EC 8468 should be deleted in order to maintain updated code.

Part IV-- Codes: 8499.3, 8499.5

In existing law, Local Planning Councils (LPC) provide input on the status of child care in their areas around the state. LPCs receive approximately \$5.3 million from the state annually to complete assessments of the child care need and opportunities in their area. The assessment provides information to LPCs on child care priorities in the area. Current law mandates that LPCs conduct assessments every five years, and lists information to be included in the assessment. This bill rearranges provisions concerning LPCs in order to better organize the code. In addition, this bill codifies current process by granting authority to the Department of Education to define the criteria required in the LPC assessment. Furthermore, it clarifies the assessment requirements without increasing any state mandates. The difference between the current code and proposed changes is subtle. However, these changes allow the LPCs the

flexibility needed to create an assessment that is useful not only to the local community, but also has much of the data often requested by the Department of Education.

If you support this legislation, please send letters to:

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